



POLICY NO:-
SDev CP030 – LOCAL PLANNING POLICY -CONSTRUCTION OF OUTBUILDINGS IN THE ‘SMALL HOLDING’ ZONE PRIOR TO COMPLETION OF A DWELLING

GOVERNANCE INFORMATION	
Procedure Link:	Administrative Policy Link:

ADMINISTRATION INFORMATION							
History:	1	NEW	OCM	18/05/16	Res: 112/16	Synopsis:	Policy created.
Version:	2		SCM	26/07/18	Res: 251-18	Synopsis:	Reviewed and Adopted by Council
Version	3	SDev CP030	OCM	30/09/20	Res: 269-20	Synopsis:	Reviewed and Adopted by Council
Version:	4	SDev CP030	OCM	28/09/22	Res: 243-22	Synopsis:	Reviewed and adopted by Council.

1. RESPONSIBLE DIRECTORATE

Sustainable Development

- **PURPOSE OR OBJECTIVE**

The objective of the policy is for Council to establish a clear position for the construction of outbuildings on lots zoned ‘Residential’, ‘Development’ and ‘Small Holding’, prior to completion of a dwelling on the same lot.

This Local Planning Policy has been adopted by the Shire of Dardanup pursuant to the provisions of Schedule 2, Part 2, Div. 2 of the Planning and Development (Local Planning Scheme) Regulations 2015 and Part VIII of Town Planning Scheme No.3.

3. REFERENCE DOCUMENTS

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)

Shire of Dardanup Town Planning Scheme No. 3 (TPS3).

4. DEFINITIONS

In this policy, “substantially commenced” means that the footings of an approved dwelling have been completed.

All other words and expressions in this policy have their normal and common meaning, and as defined in Part 1, Clause 1.8 of the Shire of Dardanup Town Planning Scheme No.3, the *Planning and Development Act 2005*, the *Planning and Development (Local Planning Schemes) Regulations 2015* or State Planning Policy 7.3 - Residential Design Codes of WA.

5. POLICY

- 5.1 Unless otherwise exempt in TPS3, the Regulations, or ‘SDev CP091 – LPP - Exempted Development and Land Use Policy’, all outbuildings require Development Approval prior to their construction.
- 5.2 The reference to ‘Residential zones’ in Clause 4.12.1 of TPS3 shall be taken to include the ‘Development’ and ‘Small Holding’ zones.
- 5.3 All Development Approval applications under the scope of this policy will be assessed having regard to this policy, and may only be supported where all of the following conditions are met:
 - a) A building permit for a dwelling on the lot has been issued and the approved dwelling has been ‘substantially commenced’.
 - b) The application is to be accompanied by scaled and detailed plans that demonstrate that one entire side of the proposed outbuilding will be unenclosed at all times until a ‘Notice of Completion’ is provided to the Shire for the approved dwelling.
 - c) The unenclosed side of the proposed outbuilding shall be one of the sides of greater length and must be a perimeter wall.

- d) The unenclosed side shall be open for the entire height of the side.
- e) Solid garage style doors are not permitted on the unenclosed side.
- f) Open rural style gates are permitted on the unenclosed side.
- g) Only one (1) outbuilding prior to the completion of a dwelling may be supported.

5.4 Notwithstanding Part 5.3 above, if the Shire considers that the outbuilding proposed on the vacant lot has the potential to visually impair the locality, the application will be refused.

6. APPLICATION

This policy applies to the development of all outbuildings in the 'Residential', 'Development' and 'Small Holding' zones under TPS3, where a proposed outbuilding will be constructed prior to completion of a dwelling on same lot.

This policy does not apply if there is an existing dwelling on the same lot.

Indicative photographs of supported development in accordance with this Policy:



7. STANDARD CONDITIONS OF DEVELOPMENT APPROVAL

If granted, the Shire's Development Approval may include the following conditions, as a minimum:

- a) The approved outbuilding shall not be used for human habitation purposes.
- b) The approved outbuilding shall not be used for any commercial or industrial use.